

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
LYNCHBURG DIVISION

STANLEY LEE BROWN, JR., et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action: 6:24cv00039
	)	
THE CITY OF LYNCHBURG, et al.,	)	
	)	
Defendants.	)	

**MOTION TO DISMISS**

Defendant LPD Officer Garrett Waterman, by counsel, moves pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure to dismiss Counts 5 and 12 of the First Amended Complaint because they fail to state a claim upon which relief can be granted as more fully set forth in Defendant Officer Waterman's Memorandum in Support of Motion to Dismiss the First Amended Complaint.

**WHEREFORE**, Defendant Officer Garrett Waterman respectfully moves the Court to dismiss Counts 5 and 12 of the First Amended Complaint with prejudice.

OFFICER GARRETT WATERMAN

By: /s/ John R. Fitzgerald  
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*Counsel for City of Lynchburg and  
Officer Garrett Waterman*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 15<sup>th</sup> day of October, 2024, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to:

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